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11 Attorneys for Defendants Tesla, Inc., Elon Musk,

12 Brad W. Buss, Robyn Denholm, Ira Ehrenpreis,

Antonio J. Gracias, James Murdoch, Kimbal

13 Musk, and Linda Johnson Rice

14 UNITED STATES DISTRICT COURT

15 NORTHERN DISTRICT OF CALIFORNIA

16 SAN FRANCISCO DIVISION

17 Case No.: 3:18-cv-04865-EMC

18 **STIPULATION AND ~~PROPOSED~~**
ORDER AS MODIFIED RESUMING
AND RESETTING SCHEDULE FOR
RESPONDING TO CONSOLIDATED
COMPLAINT AND VACATING
STATUS CONFERENCE

Date Action Filed: August 10, 2018

19 IN RE TESLA, INC. SECURITIES
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1 WHEREAS, on March 22, 2019, the Court issued an order staying all proceedings in this
2 matter pending resolution of the mandamus proceedings in the Ninth Circuit Court of Appeals
3 (ECF No. 203);

4 WHEREAS, the Ninth Circuit recently denied the mandamus petition, and as a result, the
5 Court-appointed lead plaintiff may proceed with this action;

6 WHEREAS, the parties have agreed on a briefing schedule for defendants' motion to
7 dismiss the Consolidated Complaint previously filed by lead plaintiff (ECF No. 184). That
8 schedule is consistent with (and slightly shorter than) the one previously approved by the Court
9 and takes into account holiday and scheduling conflicts;

10 WHEREAS, because the motion to dismiss briefing will be ongoing at the time, and there
11 are scheduling conflicts in light of the January 1 holiday, the parties further believe good cause
12 exists to vacate the Status Conference recently rescheduled by the clerk of the Court for January
13 2, 2020 (ECF No. 219);

14 NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, subject to the
15 approval of the Court, that:

- 16 1. Any motion to dismiss or otherwise respond to Lead Plaintiff's Consolidated
17 Complaint shall be filed on or before November 22, 2019 and set for hearing on
18 March 5, 2020 at 1:30 p.m.;
- 19 2. Lead Plaintiff's opposition thereto shall be filed on or before December 27, 2019;
- 20 3. Any reply shall be filed on or before January 27, 2020; and
- 21 4. Pursuant to Civil L.R. 16-2, the January 2, 2020 status conference is vacated,
22 along with any associated deadlines, to be reset for a future date.

23 Dated: October 31, 2019

FENWICK & WEST LLP

24 By: /s/ Jennifer C. Bretan
25 Jennifer C. Bretan

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26 Attorneys for Defendants Tesla, Inc., Elon Musk,
27 Brad W. Buss, Robyn Denholm, Ira Ehrenpreis,
28 Antonio J. Gracias, James Murdoch, Kimbal Musk,
and Linda Johnson Rice

1 Dated: October 31, 2019

LEVI & KORSINSKY, LLP

2 By: /s/ Nicholas I. Porritt
3 Nicholas I. Porritt (admitted *pro hac vice*)

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5 Washington, D.C. 20007
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8 Attorneys for Lead Plaintiff Glen Littleton and
9 Lead Counsel for the Class

10 Pursuant to Local Rule No. 5-1(i)(3), all signatories concur in filing this stipulation.

11 Dated: October 31, 2019

12 By: /s/ Jennifer C. Bretan
13 Jennifer C. Bretan

14 ***

15 ~~PROPOSED~~ ORDER

16 PURSUANT TO STIPULATION, IT IS SO ORDERED.

17 Dated: November 4, 2019

18 

19 Hon. Edward M. Chen
20 United States District Court Judge

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